

JOHN F. COOK
MAYOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

JOYCE WILSON
CITY MANAGER

**AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 27, 2005
9:00 A.M.**

AND

**SPECIAL COUNCIL MEETING/COUNCIL WORK SESSION
COUNCIL/STAFF QUESTION AND ANSWER SESSION
10TH FLOOR, CONFERENCE ROOM
MONDAY, SEPTEMBER 26, 2005
4:00 P.M.**

ROLL CALL

Invocation – Reverend Robert D. Hooks
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH**
- 2. BI-NATIONAL PROMISE TO STAY DRUG-FREE MONTH**
- 3. DOWN SYNDROME BUDDY WALK DAY**

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/city_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

1. APPROVAL OF MINUTES: [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of September 20, 2005 and the Special City Council Meetings of September 12, and September 19, 2005 (Agenda Review).

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign an Agreement for Engineering Services between the CITY OF EL PASO and SLI ENGINEERING, INC., on an as need basis, for construction projects at El Paso International Airport for a period of one (1) year in an amount not to exceed THREE HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$380,000.00). **(District 3)**
[Engineering Department, Rick Conner, (915) 541-4200]

3B. That the City Manager be authorized to sign an Overhead Electrical Easement which would allow the El Paso Electric Company to locate an overhead line in a portion of Lot 1, Block 2, Desert Trail Subdivision, Unit 2, El Paso County, Texas. **(District 1)** [Engineering Department, Rick Conner, (915) 541-4200]

3C. That the City Manager be authorized to sign an Overhead Electrical Easement which would allow the El Paso Electric Company to relocate an existing overhead line within Block 13, Manhattan Heights, El Paso, El Paso County, Texas in order to provide service to the Memorial Park baseball field. **(District 2)**
[Engineering Department, Rick Conner, (915) 541-4200]

3D. That the City Manager be authorized to sign an Agreement granting an Underground Electrical Easement to the El Paso Electric Company on a portion of Lot 1, Block 29, Ranchos Del Sol Unit Eight, El Paso, El Paso County, Texas to provide electrical service to 1080 Ted Houghton. **(District 6)**
[Engineering Department, Rick Conner, (915) 541-4200]

3E. That the City Manager be authorized to sign a Temporary Construction Easement for a 0.0775 acre, parcel of land being a portion of H.F. Fisher Survey 293, Abstract 38, Portion of Tract 34-A-5, El Paso, El Paso County, Texas, which easement is needed for the Rocky Bluff Drainage Improvement Project.
[Engineering Department, Rick Conner, (915) 541-4200]

3F. That the Mayor be authorized to sign an Interlocal Agreement between Texas Tech University Health Sciences Center Regional Academic Health Center at El Paso and the City of El Paso to permit the use of a City vehicle by the EMSS Medical Director and EMSS Quality Assurance personnel for the performance of quality assurance duties. [Fire Department, Assistant Fire Chief Steve Surface, (915) 771-1000]

- 3G.** That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso, Texas ("City"), acting in its capacity as the fiscal agent to the Metropolitan Planning Organization for the El Paso Urban Transportation Study Area ("MPO"), and the University of Texas at El Paso ("UTEP"), to assist the MPO to develop the International and Regional Transportation Model. The contract period is from September 30, 2005 through September 30, 2006. The total compensation under the Agreement is \$136,348.00 of which the total amount is local and federal funds.

[Metropolitan Planning Organization, Roy Gilyard, (915) 591-9735, ext. 13]

- 3H.** 1. That the City of El Paso Museum of Art is authorized to impose an exhibit entrance fee of five dollars per person fourteen and over, three dollars per person for adults over sixty-four as well as per individual in the military on active status regardless of age.

2. That the exhibit entrance fee provided for herein is permitted only for the Toulouse-Lautrec exhibit beginning October 9, 2005 and ending at the conclusion of business on January 8, 2006. [Museum of Art, Romie Ruiz, (915) 532-1707]

- 3I.** That the City Manager be authorized to sign an Agreement for Architectural Services by and between the CITY OF EL PASO and GUILLERMO BARAJAS doing business as ENVIROIDEA, for design services related to a project known as "Pavo Real Park and Pool" for an amount not to exceed ONE HUNDRED NINETY SIX THOUSAND NINETY SEVEN AND 00/100 DOLLARS (\$196,097.00). This is a 2000 Quality of Life Bond Project. **(District 6)**

[Perspectiva + 3D/I (P+3), Juan Contreras, (915) 225-3449]

- 3J.** That the City Manager be authorized to sign a Contract between the CITY OF EL PASO and PAUL R. PINON, to assist the El Paso Police Department as a Human Trafficking Coordinator at a biweekly rate of \$1, 230.77 for 40 hours per week. The term of the contract shall be for the period of September 28, 2005 through November 30, 2007. Fund Source: 21150010-G210515-05376

[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

- 3K.** That the City Council supports the submission of a competitive bid for the United States Bowling Congress Women's Championships in 2010 or 2011 or the Open Championships for 2012 and agrees that if the bid is awarded for the City and if the El Paso Sports Commission provides \$500,000.00 and the El Paso County Commissioners Court provides \$250,000.00 the City agrees to provide \$250,000.00 as the City's financial commitment as part of the bid.

[Deputy City Manager, Quality of Life Services, Deborah Hamlyn, (915) 541-4686]

4. BOARD RE-APPOINTMENT:

Anna Gill to the Zoning Board of Adjustment by Representative Steve Ortega, District 7.
[Representative Steve Ortega, (915) 541-4124]

5. BID: [Financial Services, Jesus M. Juarez, (915) 541-4317]

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

Solicitation No.:	2005-249	Vactor Proprietary Parts
Award to:		Kinloch Equipment & Supply, Inc.
		Arlington, Texas
Item(s):		#1
Amount:		\$25,000.00 (estimated annually)

Department: General Services
 Funds available: 37370510-503121-45202
 Funding source: General Services Internal Service Fund
 Total award: \$75,000.00 (estimated)
District (s): All

The General Services and Financial Services, Procurement Division recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Low bidder was deemed non-responsive because they do not have any parts on hand and they do not have a building to warehouse parts in. For this reason they cannot ensure delivery of parts in a timely manner as requested on the contract.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within one (1) or two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

6. Request that the Deputy Director of Financial Services, Procurement Division be authorized to exercise the City's option to extend the term of the agreement for one (1) additional year, from October 5, 2005, through October 4, 2006, pursuant to the provisions of Contract 2004-258, Building Filters with Passage Supply Company, El Paso, Texas.

Option No.: ONE [OF ONE]
 Amount of Award: \$17,570.33 Estimated/Year
 Account No: 31010326-01101 and Various
 Funding Source: Operating Funds
 Department: General Services, Maintenance Division
 [Financial Services, Ray Heredia, (915) 541-4316]

7. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

- 7A. Christ Community United Methodist Church to hold a 5K walk/run on October 29, 2005 from 8:00 a.m. to 9:30 a.m. Route: Start at Christ Community United Methodist Church on Loma Clara to Loma Diamante, turn left on Loma Diamante to Andrew Barcena, turn right on Andrew Barcena to Loma Del Norte, turn left on Loma Del Norte to Loma Del Sol, turn left on Loma Del Sol to Jon Cunningham, turn left on Jon Cunningham to Andrew Barcena, turn right on Andrew Barcena to Loma Clara, turn right on Loma Clara and finish at the church. Approximately 100 persons will take part and 50 spectators are anticipated. PERMIT # 05-133 [Bruce Abbott] **(District 4)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 3 OFFICERS AND 3 VEHICLES. ESTIMATED COST TO CITY: \$125.00; ESTIMATED COST TO APPLICANT: \$25.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

- 7B.** Parkland High School to hold a homecoming parade on September 29, 2005 from 5:00 p.m. to 6:30 p.m. Route: Start at Parkland High School on Bomarc to Nova, turn right on Nova to Sidewinder, turn left on Sidewinder to Regulus, turn left on Regulus to Minuteman, turn left on Minuteman to Nova, turn left on Nova to Bomarc, turn right on Bomarc and finish at the school. Approximately 350 persons, 20 vehicles will take part and 150 spectators are anticipated.

PERMIT # 05-134 [Yolandra Tehart] **(District 4)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. TXDOT FORM LETTER. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 6 OFFICERS AND 6 VEHICLES. ESTIMATED COST TO CITY: \$388.00; ESTIMATED COST TO APPLICANT: \$212.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

- 7C.** Tour of Hope to block off N. Laurel St. between Curie and Grandview Ave. on October 1, 2005 from 3:00 p.m. to 7:00 p.m. for a block party. Approximately 10 persons will take part and 100 + spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices".

PERMIT # 05-135 [D. Bruce Crawford] **(District 8)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

- 7D.** Girl Scouts Troop 221 to hold a pet parade on October 29, 2005 from 9:00 a.m. to 12:00 p.m. Route: Start on Crusade Dr. to Southwestern, turn left on Southwestern to Redd Rd., turn right on Redd Rd. to Merriman Dr., turn right on Merriman Dr. to the second intersection of Springfire, turn right on Springfire to Crusade Dr., turn left on Crusade Dr. and finish at the Pet's Barn. Approximately 250 persons, 1 vehicle, 200 animals will take part and 100 spectators are anticipated. This request includes permission to use amplification (1 p.a. system).

PERMIT #05-136 [Luz Stephan] **(District 1)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. TXDOT FORM LETTER. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 6 OFFICERS AND 6 VEHICLES. ESTIMATED COST TO CITY: \$582.00; ESTIMATED COST TO APPLICANT: \$318.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

- 7E.** Westside Community Church to use amplification (12 microphones, 6 speakers and 4 amplifiers) at Francisco Delgado Park – 7020 Imperial Ridge on October 1, 2005 from 12:00 p.m. to 4:00 p.m. for a Fall Bash Free Concert. Approximately 10 persons will take part and 500 spectators during the course of the day are anticipated.

PERMIT # 05-137 [Joseph Williams] **(District 1)**

NO OBJECTIONS FROM PARKS. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

REGULAR AGENDA**8. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

Public comment typically is not taken during the introduction of ordinances.

Public comments are invited at the date of the scheduled public hearing.

- 8A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), of the El Paso Municipal Code, to amend Zone F: No Parking Any Time. The penalty being as provided in Section 12.85.110 (Violation - Penalty) of the El Paso Municipal Code. **(District 8)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 8B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at all times on Certain Streets) to add a new location on Cielo Vista Drive from a point 120 feet South to a point 300 feet North of Avalon Drive, both sides. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 3)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 8C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at all times on Certain Streets) to add a new location on Hague Road between Oregon Street and Mesa Street, South side. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 8)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 8D.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at All Times on Certain Streets) to amend: i) a location on Clark Drive from Dulaney Avenue to Trowbridge Drive, both sides; and ii) a location on Clark Drive, extending approximately seventy-six feet North from the North curblin of the Trowbridge Drive Access Road, both sides. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 3)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 8E.** An Ordinance granting a Special Privilege to the El Paso Sports Commission to temporarily close a portion of Boone Street between Paisano Drive and Delta Drive on the following dates: Wednesday, October 12, 2005; Thursday, October 13, 2005; Friday, October 14, 2005; Saturday, October 15, 2005; Sunday, October 16, 2005; Friday, October 21, 2005; Sunday, October 23, 2005; Monday, October 24, 2005; Thursday, October 27, 2005; Tuesday, November 1, 2005; Friday, November 11, 2005; Sunday, November 20, 2005; Wednesday, November 23, 2005; Saturday, November 26, 2005; Thursday, December 1, 2005; Saturday, December 3, 2005; Sunday, December 4, 2005; and Saturday, December 31, 2005 to stage four lanes of incoming traffic for events being held at the El Paso County Coliseum.
(Fee: \$990.00 SP-05021) (District 8) [Planning, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON OCTOBER 11, 2005 FOR ITEMS 8A – 8E

- 8F.** An Ordinance changing the zoning of Tracts 2B2, 2B4 and 2B4A, Block 18, Ysleta Grant, El Paso, El Paso County, Texas from R-3 (Residential) to S-D (Special Development District). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 7929 Heid Ave. Applicant: Ramon/Rosina Frescas Jr. ZON05-00023 **(District 7)**
[Planning, Christina Valles (915) 541-4930]
- 8G.** An Ordinance changing the zoning of a portion of Lot 6, Block 131, Chaparral Park Unit 29, Replat B, El Paso, El Paso County, Texas from A-O (Apartment-Office) to C-1 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 595 Belvidere. Applicant: Peace Lutheran Church. ZON05-00070 **(District 1)**
[Planning, Christina Valles (915) 541-4930]
- 8H.** An Ordinance changing the zoning of Lots 9 and 10, Block 72, East El Paso Addition, El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment-Office). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 3619 Missouri Ave. Applicant: Ascencion & Mary Mena. ZON05-00072 **(District 8)** [Planning, Christina Valles, (915) 541-4930]
- 8I.** An Ordinance changing the zoning of a portion of Lot 1, Block 1, Painted Dunes Addition Unit Two, El Paso, El Paso County, Texas from A-2 (Apartment) to C-1 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 10700 Block of McCombs. Applicant: EPT Land Assets. ZON05-00081 **(District 4)**
[Planning, Christina Valles (915) 541-4930]
- 8J.** An Ordinance granting Special Permit No. ZON05-00082, to allow for a fire station on Lots 26 and 27, Block B, Pioneer Addition, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 6500 Block of Angora Loop. Applicant: City of El Paso. ZON05-00082 **(District 6)** [Planning, Christina Valles, (915) 541-4930]

PUBLIC HEARING WILL BE HELD ON OCTOBER 18, 2005 FOR ITEMS 8F – 8J

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

9. MAYOR AND COUNCIL:

- 9A.** Discussion and action on The Miracle League Proposal for Ponder Park.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 9B.** Discussion and action to add an appeal mechanism to Ordinance 15998 governing home demolition under the Building and Standards Commission after second appeal to the Building and Standards Commission to create appeal to council. [Representative Jose Alexandro Lozano, (915) 541-4515]

10. DEVELOPMENT AND INFRASTRUCTURE SERVICES:

[Deputy City Manager, Development and Infrastructure Services, Patricia D. Adaudo, (915) 541-4853]

Discussion and action on the Lee Trevino Drive Extension Project, including direction on the project continuation, recommended option(s) and next steps.

11. DEVELOPMENT SERVICES: [Development Services, Kareem Dallo, (915) 541-4970]

Discussion and action on approval of Conditional "B" building permits for Vista Del Sol Unit 119 Replat A Subdivision. **(District 5)**

12. ENGINEERING: [Engineering Department, Rick Conner, (915) 541-4200]

12A. Discussion and action on a Resolution that the City Manager be authorized to sign an Agreement for Engineering Services by and between the CITY OF EL PASO and MORENO CARDENAS, INC., for a one (1) year period for an amount not to exceed SEVEN HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$750,000.00). **(Citywide)**

12B. Discussion and action on a Resolution that the City Manager be authorized to sign an Agreement for Construction Management Services by and between the CITY OF EL PASO and PARAGON PROJECT RESOURCES, INC., for a one (1) year period for an amount not to exceed SEVEN HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$750,000.00). **(Citywide)**

13. FINANCIAL SERVICES/CFO:

13A. Request approval for the Director of Purchasing to reject the bids submitted for Solicitation No. 2005-233, Caribe Park Improvements. The sole bid received exceeds the budget appropriated for this project. It is recommended by the Purchasing, Engineering and Park and Recreation Departments that this item be re-bid with revised specifications. **POSTPONED FROM 09/13/05**
[Financial Services, Byron E. Johnson, (915) 541-4308]

13B. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

13B - 1. Solicitation No.: 2005-233 Caribe Park Improvements

Contractor: F. T. James Construction, Inc.
Location: 250 Cayman Lane

Department: Parks and Recreation
Funds Available: 71150069-G7130CD0015-07797-508027-
Community Development \$ 89,542.35
51159242-P518000000-16022-508004-
Park Dedication Funds \$ 43,568.65
Items: Base Bid \$133,111.00
Total Award: \$133,111.00

Estimated Completion Date: December 2005

District (s): 6

RECOMMENDATION:

The Departments of Engineering, and Parks and Recreation recommend the award of this contract to F. T. James Construction, Inc., the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council. [Deputy Director of Financial Services, Byron E. Johnson, (915) 541-4308]

13B - 2. Solicitation No.: 2005-258 Towing, Storage &
Sale of Motor Vehicles
Award to: El Paso Towing, Inc.
El Paso, Texas
Item(s): Group I & Group III
Amount: \$80,000.00 (estimated annually)

Award to: AD Wrecker Service, Inc.
El Paso, Texas
Item(s): Group II
Amount: \$849,500.00 (estimated annually)

Department: General Services and Police
Funds available: 37370510-503125-45202
Funding source: Various (all City Departments will be
using this contract)
Total award: \$2,788,500.00 (estimated)
District (s): All

The General Services, Police and Financial Services Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Recommendations were made by both the General Services Department and the Police Department for award of Group I to El Paso Towing, Inc.

The El Paso Police Department offered recommendations to award Group II to AD Wrecker Service, Inc. for the Authorized Police Dispatcher Tows and Group III to El Paso Towing, Inc. for the Abandoned, Junked and Illegally Parked Vehicles.

Vendor #1 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within one (1) or two (2) years from the date of the award. Additionally, vendor #1 offers the City a prompt payment discount of 15% twenty (20) days.

Vendor #2 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award. Additionally vendor #2 offers the City a prompt payment discount of 2% ten (10) days.

This is a Requirements Type Contract with an initial term of Thirty Six (36) months. [Financial Services, Jesus M. Juarez, (915) 541-4317]

- 13C.** Approve Change Order No. Two (2) to Silverton Construction Co., Inc., for Contract No. 2004-078 Street Resurfacing 2004-2005 project. The amount of this change order represents an increase in expenditures for Line Items #11 thru #20 as described in the Street Department Director's Letter to Contractor requesting the additional work. This letter requests the installation of pavement markings on streets that are not being resurfaced. The dollar amount of this change order is \$599,998.00. Estimated quantities, Contract Unit Pricing, Street Department Request Letter to Contractor and Contractor's Response are attached. This project is scheduled to be completed by March, 2006.

The funding sources for the work described under this change order are as follows: \$240,657.82 from 31260001-PST05003-60663-508027 and \$359,340.18 from 31250102-PST05003-27175-508027. **(Districts 3, 5, 6 and 7)**

[Financial Services, Byron E. Johnson, (915) 541-4308]

- 13D.** Discussion and action on a Resolution that the Deputy Director of Financial Services is authorized to notify Sisbarro Buick Pontiac GMC that the City is terminating Contract No. 2004-117-C1 pursuant to the provisions and requirements of Section C, Paragraph 18B of the Contract Clauses due to default of Sisbarro Buick Pontiac GMC and that the termination shall be effective as of September 28, 2005.

The user Department was notified and a new solicitation will be issued.

Department: General Services

[Financial Services, Barbara Crumley, (915) 541-4315]

14. PUBLIC HEARING – HUMAN RESOURCES:

An ordinance amending Ordinance 8065, Civil Service Rules and Regulations, to amend Rule 29 in its entirety, to revise the procedures and requirements under which employees may be granted permission for Outside Employment.

[Human Resources, Linda Ball Thomas, (915) 541-4509]

15. CITY MANAGER: [City Manager, Joyce A. Wilson, (915) 541-4844]

City Manager's report of current events and issues:

Staff Briefing on the Elements & Legal Issues of the Development Process.

[Deputy City Manager, Infrastructure and Development, Patricia D. Adaudo, (915) 541-4853]

- 16.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 16A.** *Rita Rodriguez v. The City of El Paso*, Cause No. 2004-4957 in the 34th District Court (551.071) [Mayor John F. Cook, (915) 541-4015]
- 16B.** Frank Lopez, et al v. *The City of El Paso*, et al, Cause No. EP-05-CA-0009-FM in the United States District Court for the Western District of Texas (551.071) [City Attorney, Charlie McNabb, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov>